

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

v.

Case No. 2:19-cr-20652
Hon. David M. Lawson

PATRICIA FLANNERY,

Defendant.

_____ /

UNOPPOSED MOTION TO EXTEND REPORTING DATE

NOW COMES PATRICIA FLANNERY, by and through her attorney, Mark J, Kriger, and moves this Honorable Court for the entry of an order extending the time by which she is to report to the designated institution to begin service of her sentence until August 20, 2024, and in support of said motion says as follows:

1. Ms. Flannery entered a guilty plea in this case, was sentenced, on June 27, 2023, to serve a term of a year and a day in custody, and was scheduled to report to the institution designated for service of that sentence (the Satellite Camp at FCI Danbury, Conn.) on January 2, 2024.

2. On November 17, 2023, defendant filed a Motion to Extend Reporting date to July 1, 2024 because counsel for the Government informed undersigned counsel

that Ms. Flannery may be called as a witness for the Government in *United States v. Katherine Peterson* which this Court granted on November 30, 2023.

3. The Government issued Ms. Flannery a subpoena to testify in *United States v. Katherine Peterson* and because Government counsel informed undersigned counsel that it was possible that she will be called as a witness after July 1, 2024, defendant filed a Motion to Extend her Reporting date until July 22, 2024 which this Court granted. .

4. On July 1, 2024, Ms. Flannery testified on behalf of the Government in *United States v. Katherine Peterson*.

5. Because of Ms. Flannery's additional cooperation, the Government is considering whehter to file a Motion for Reduction of Sentence pursuant to Rule 35(b) of the Federal Rules of Criminal Procedure. Therefore, the interests of justice would best be served if her reporting date is extended until after Government decides whehter to file a Motion for Reduction of Sentence.

6. Government counsel believes that a decison will be made on whether the Government will be Filing a Motion to Reduce her sentnence within the next 30 days.

7. Counsel has conferred with Assistant United States Attorney Shankar Ramamurthy, who has authorized him to represent that the government does not

oppose the grant of relief herein sought and defers to the Court's discretion in granting the relief requested.

WHEREFORE, defendant respectfully prays that this Honorable Court enter an Order extending the time by which she is to report to the institution to begin service of her sentence until August 20, 2024.

Respectfully submitted,
s/Mark J. Kriger
Attorney for Defendant Flannery
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DATED: June 7, 2024

UNITED STATES DISTRICT COURT
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**MEMORANDUM BRIEF IN SUPPORT OF
MOTION TO EXTEND REPORTING DATE**

Question presented: Whether Ms. Flannery's reporting date should be extended so that she can complete her cooperation with the government?

Principal authority.. *United States v. Colomb*, 419 F.3d 292, 299 (5th Cir. 2005).

As noted in the motion in support of which this memorandum is written, based on Ms. Flannery's additional cooperation in *United States v. Katherine Peterson*, counsel for the Government is considering whether to file a Motion for Reduction of Sentence Ms. Flannery's sentence pursuant to Rule 35(b) of the Federal Rules of Criminal Procedure.

Accordingly, defendant contends - and the government does not disagree - that the interests of justice would best be served if her reporting date were delayed until the Government decides whether it will be filing a Motion for Reduction of Sentence.

As the Fifth Circuit noted in *United States v. Colomb*, 419 F.3d 292, 299 (5th Cir. 2005), “[a] district court has inherent power ‘to control the disposition of the causes on its docket with economy of time and effort for itself, for counsel, and for litigants.’” (quoting *Landis v. N. Am. Co.*, 299 U.S. 248, 254 (1936)). The Court unquestionably has the discretion to grant the defendant’s request, and counsel would suggest that it should do so in the informed exercise of that discretion.

Respectfully submitted,

s/Mark J. Kriger
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DATED: June 11, 2024

CERTIFICATE OF SERVICE

I hereby certify that on July 11, 2024, I electronically filed the foregoing paper with the Clerk of the Court using the ECF system, which will send notification of such filing to all counsel of record.

s/ Mark J. Kriger
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